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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,816	08/10/2001	Mark A. Lipford	1618a	6256
28005	7590	06/14/2005	EXAMINER	
SPRINT			JONES, PRENELL P	
6391 SPRINT PARKWAY			ART UNIT	
KSOPHT0101-Z2100			PAPER NUMBER	
OVERLAND PARK, KS 66251-2100			2667	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/927,816

Applicant(s)

LIPFORD ET AL.

Examiner

Prenell P Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-6 and 14-24 is/are allowed.
- 6) ☐ Claim(s) 7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) 8 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892).
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/15/01.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7 and 9-12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al in view of Sen et al.

Regarding claims 7 and 9-12, Li (Abstract, Fig. 1, 3-11, col. 2, line 1-64, col. 4, line 64-67, col. 6, line 12-63, col. 7, line 34-47, col. 9, line 38-67, col. 14, line 54-67, col. 15, line 5-12, col. 18, line 4-28) discloses a communication system that provides QoS on packet-based wireless connections, wherein the architecture is of a wireless nature that includes communication between mobile terminal, base station, a PDSN (packet data service node) coordinates establishment of connections, wherein the base station provides connectivity via CDMA (air interface), PDSN interacts with radio network with respect to establishing connections, base station and wireless station making it possible to facilitate an end-to-end QoS solution for connections including wireless links, (col. 11, line 59-67) end-to-end QoS commitment satisfied, and (col. 19, line 31 thru col. 20, line 36, col. 21, line 50-60) QoS parameter fields added to messages traveling via CDMA 2000 (air interface) include data rate, user priority, data loss rate, delay. However, Li is silent on utilizing packet-switched network associated with base station, PDSN and mobile terminal. In analogous art, Sen discloses (Abstract, Fig. 2, 3, col. 5, line 14 thru

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col. 6, line 45, col. 7, line 13-37) providing QoS within a third generation (packet switched) packet data session, wherein the architecture includes accommodating TCP (packet switched) sessions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement a packet switched network as taught by Sen's support for multiple QoS in a third generation packet data environment with the teachings of Li's system that provides QoS of packet-based wireless connections for the purpose of further managing and controlling packet data with respect to QoS in a wireless environment.

***Allowable Subject Matter***

1. Claims 1-6 and 14-24 are allowed over prior art.
2. Claims 8 and 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter: Although the prior art teaches discloses a communication system that provides QoS on packet-based wireless connections, wherein the architecture is of a wireless nature that includes communication between mobile terminal, base station, a PDSN coordinates establishment of connections, facilitating an end-to-end QoS solution for connections including wireless links, end-to-end QoS commitment satisfied, QoS parameter fields added to messages traveling via CDMA 2000 include data rate, user priority, data loss rate, delay, providing QoS within a third generation packet data session, they fail to teach or suggest operating a first server and second server to match quality of service on a first link with the QoS on the second link, operating an access server to map between air interface QoS information and packet-switched network QoS

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information, at least one QoS parameter being indicative of QoS for the packet switched network, and passing the at least one QoS parameter in a mobile IP vendor extension.

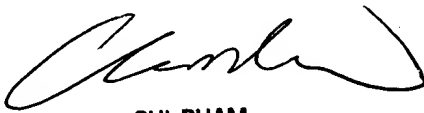
Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

June 9, 2005



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SUPERVISORY PATENT EXAMINER  
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6/10/05